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SMITH COMMITTEE PROPOSES AMENDMENTS TO PRICE CONTROL ACT; REPORT ON SENATE, HOUSE HEARINGS

Government officials and industry representatives testified during the past week before the House and Senate Committees on Banking and Currency along lines following the pattern of testimony established by previous witnesses as the hearings before both Committees neared an end. The government officials, among whom were Secretary of Commerce Jesse Jones and Stabilization Director Fred M. Vinson, declared that the price control program was a success and urged extension of the Act without change. Industry witnesses, prominent among them being G. Irving Bailly, Secretary of the Central Council of National Retail Associations, who testified before the House Committee, urged extension of the Act until June 30, 1945, with numerous amendments similar to those approved last week by the member retail associations (see last week's INFORMATION LETTER, page 8175).

The Senate Committee ended its public hearings on April 27, while the House Committee announced it hopes to conclude its hearings by May 9.

During the week Representative Howard Smith, of Virginia, Chairman of the Select Committee to Investigate Executive Agencies, released a detailed report recommending extension of the Price Control Act until June 30, 1945, with numerous changes. The amendments suggested by the majority of the Smith Committee are representative of the suggestions for revision of the Act made by various industry witnesses during the course of the Senate and House hearings. For this reason canners will be interested in a summary of the details of the Smith Committee proposals, which are embodied in a bill, (H. R. 4647) introduced by Representative Smith on the same day on which the report was issued.

The Committee stated that its one purpose is to alleviate harsh and unjust provisions of the present Act and to define more clearly the powers granted by the Act while retaining all necessary powers to maintenance of a successful price control program.

The Smith Committee report is a detailed, section-by-section discussion of H. R. 4647, showing the changes pro-

posed to be made in the present Price Control Act and the Stabilization Act of October 2, 1942. The report was not unanimous. Four members, led by Chairman Smith, supported in its entirety the committee bill, while Representatives Jerry Voorhis of California, and John J. Delaney of New York objected strongly to certain of the proposed amendments.

Restrictions on Authority to Establish Maximum Prices

The general purposes of the Act have been widened specifically to cover stabilization of wages and salaries in addition to prices and rent. This is not a change of the existing law but merely a codification into one act of the purposes of the Stabilization Act of 1942 and the Price Control Act.

Perhaps the most drastic change proposed by the Committee is the revision of the standards which the Administrator must follow in establishing maximum prices. The Administrator is required to adopt the prices prevailing during October 1-15, 1941, or prices prevailing during some other representative period which shall not be before October 1, 1940. He is then required to adjust those prices to give effect to

(Continued on page 8193)

This Year's Pack Cases for Army Must be Marked "44"

To facilitate the proper handling of the 1944 pack of canned fruits and vegetables intended for consumption by American soldiers, and to assure using up all stocks remaining from earlier packs before starting on the 1944 pack, the Quartermaster Corps will require canners and processors this year to mark the cases of canned goods packed for the Army with the numeral "44" for easy identification, the War Department has announced.

The Office of the Quartermaster General stated that "while it is customary to consume all of one season's pack before beginning to use a later one, Quartermaster Corps supply officers at present are not able to identify from marks on the cases the year of any given pack. Since the cases for a given canned fruit or vegetable are generally identical for packs for the past few years, it was felt that a positive method of distinguishing them as between years of the pack should be required on the outside of the case. Accordingly, each packer of canned foods for the Army this year will place the identifying number '44' on the end of each case before the markings designating the number of the canner's contract."

APPEAL FOR ALTERNATIVE PEACH CANS IS GRANTED

The container schedules in the January 3 revision of Order M-S1 specified a different can for peaches than for pears and fruit cocktail, products packed simultaneously with peaches during part of the season in many California plants. In some of these plants serious operating difficulties have been anticipated due to use of a mechanical can distribution system which does not lend itself to segregation of cans for different products.

The cans specified for pears and fruit cocktail use less tin than the peach can, and are usable for peaches, though with some reduction of expected service life. It appeared, therefore, that a partial substitution would not conflict with government regulations, provided the peaches so packed were acceptable for

Army purchase. An appeal for amendment of the Quartermaster Corps specifications was, therefore, made by the Canners League of California, to which reply was made by Brigadier General Carl A. Hardigg as follows:

"I am appreciative of the position which the California canners face in the segregation of different type cans for the packing of peaches, pears and fruit cocktail, as outlined in your letter of April 10. With the majority of our canned fruits this year being required for export purposes, subject to extreme storage conditions overseas, I know you also appreciate that I must have the best type of container for canned food.

"In this particular instance, it does appear that a practical solution is offered in that some of the canners with large quotas will be operating exclusively on the 1.5 tinplate cans for

peaches, other canners will be using the same can for a portion of their peach pack and that it will only be during the latter part of the peach season when canners wish to use cans with 1.25 or .50 ends for peaches as well as pears and fruit cocktail. It is recognized, of course, that the canners wish to supply us with the 1.5 can to the extent of their ability and under no circumstances would we be furnished a less satisfactory can than that sold in civilian channels.

"I am desirous of cooperating with the industry and I am, therefore, instructing the California Quartermaster Depot to accept canned peaches, where necessary, in cans with ends of 1.25 or .50 tinplate. It is of importance that the canners identify lots packed in these cans so that they may advise our buyers of the type of cans used. This will enable us to direct the 1.5 tinplate cans for export use and the others into domestic channels."

PRIORITY FOR V-BOXES

Manufacturers May Not Use Machinery to Make Other Container Types Until V Orders are Filled

To insure timely production of V-boxes and reduce current excessive backlog orders for solid-fibre shipping containers, Direction 2 to Conservation Order M-290 was issued by the War Production Board April 24.

Hereafter, no box manufacturer may use equipment for solid-fibre container production to manufacture anything but V-boxes, when unfilled orders therefor are on hand, according to the direction, WPB said. Prior to this order, all solid fibre box orders, whether in V grade or for domestic use, were run on the basis of the preference rating extended on the order.

The direction also provided that:

Manufacturers of this type of container must use their solid-fibre production equipment to the fullest extent to fill V-box orders on hand, regardless of preference ratings on any other orders for solid-fibre shipping containers.

Producers having orders for other solid-fibre shipping containers, the specifications of which are changed from solid to corrugated, shall not treat them as new orders, but as orders received on the original date.

Persons who do not have sufficient V-board to fill V-box orders on hand, should promptly advise the WPB Fibre Box Section, Paperboard Division, Washington 25, D. C.

All applicable provisions of WPB regulations pertinent to the production of solid and corrugated fibre containers continue in full force, WPB said, except as specifically modified in the new direction.

WPB Launches Technical Study to Save Shipping Case Paperboard

Will Take No Action That Would Reduce Strength of Fibre Cases

A technical staff within the War Production Board's Paperboard Division has been established to study all types of fibre shipping containers in an effort to save paperboard, WPB announced April 25.

Since paperboard of all types is in short supply because of the lack of suitable virgin pulp and because of extensive demands for military shipping containers, WPB said that control over the available supply had to be undertaken. In this connection a series of conservation and limitation orders regulating both the manufacture and use of available paperboard has been issued to direct it to essential uses and make a fair division of this valuable commodity.

To complement these orders, a technical study is now being made by the Paperboard Division of all types of fibre shipping containers, folding cartons, setup boxes and other paperboard products, to ascertain if any of them could be made of lighter weight board without endangering their value as merchandise containers, WPB said.

J. D. Malcolmson, formerly technical

director of Robert Gair Company, Inc., has been designated Chief of the Technical Staff, and Philip F. Holton, formerly plant manager of the Inland Container Corporation, has been appointed Deputy Chief.

Mr. Malcolmson stated that a great number of packages today are improperly designed and required too much paperboard. Pointing out that these shortcomings apply to both civilian and armed service packaging, he explained that no moves will be made tending to reduce the strength of containers to a point where loss and damage to contents shipped might occur.

Some of the pre-war type of packages may be safely "cut back", that is, the weight of the board used for packages or its thickness may be reduced without materially affecting the strength and resistance of the packages to rough handling, he continued. Mr. Malcolmson pointed out that civilian packages can be used more economically by rearrangement of contents, or increasing contents.

As no standard set of rules will cover all these problems, Mr. Malcolmson prefers to have each case or item considered separately.

ODT Registration Not Required for Specially Designed Trucks

Small and specially designed motor trucks operating in over-the-road service are exempted from orders of the Office of Defense Transportation requiring registration of empty or partially loaded trucks, under general permits announced by ODT April 25, effective immediately.

The permits (General Permits ODT 3, Revised 5A, and ODT 17-14A) extend the relief formerly provided by similar permits under the Joint Information Office program, which was replaced by the new Traffic and Vehicle Registration program, ODT explained.

The exemption from the registration provisions was granted on the condition that such vehicles be loaded to capacity while operated over a considerable portion of the outbound or inbound route traveled in the over-the-road operation involved, the ODT said. The carriers are required to use "due diligence" in maintaining capacity loads.

"Small and specially designed trucks" are defined by ODT as those which can be utilized only for the transportation for which they are especially designed and not for transportation generally, or those whose primary carrying capacity

is occupied by built-in loading racks, trays or crates designed for the loading of specific property, or those whose rated load-carrying ability does not exceed 12,000 pounds.

Death of Charles T. Lee

Funeral services were held at Montclair, New Jersey, April 25 for Charles T. Lee, former director of the National Canners Association and for many years a vice president of Libby, McNeill & Libby, who died at Rockledge, Florida, on April 19. Mr. Lee's Association activities took place in 1914 when, in addition to serving on the Board of Directors, he was a member of various committees. During the first World War Mr. Lee also served as vice president of W. H. Kellogg Company and later was vice president in Chicago of sales and advertising for Nestle Milk Products, Inc.

Michigan Canners Meeting

The annual spring meeting of the Michigan Canners Association will be held June 4, 5, and 6 at the Park Place Hotel, Traverse City, Michigan.

Filing of Renegotiation Report Forms

Attention is called to the requirement that canners whose fiscal year closed on or before February 25, 1944, must file the appropriate Standard Report Form with the War Contracts Price Adjustment Board by June 1, 1944. Those canners whose fiscal year ends after February 25, 1944, must file the report on or before the first day of the fourth month following the close of the canner's fiscal year.

The place where blank copies may be obtained and the reports filed is given in INFORMATION LETTER No. 980 for April 8, 1944, page 8157.

Over 70% of Canning Machine Requirements Now Completed

More than 70 per cent of the current fiscal year's requirements program for canning machinery has already been completed by manufacturers, according to the Canning Machinery Industry Advisory Committee, with the remainder of scheduled production assured of completion during the next three months, the War Production Board has reported.

Committee members, discussing the current and proposed 1945 production program with representatives of the WPB and War Food Administration, urged that purchase and delivery of used canning machinery remain without government controls. Maintenance and Repair Orders on Priority Ratings of AA-1 are expected to displace between 18 and 20 per cent of new equipment orders placed on the normal Priority Ratings of AA-3, the committee said.

While no official estimates of the 1945 production program have as yet been presented to canning machinery manufacturers, it is believed that the figure will remain at or about the 110 per cent of base period total used to compute the 1944 program. Industry representatives requested both WPB and WFA to complete the projection of the 1945 program and to allocate materials for the program as quickly as possible, to permit extra time for advance scheduling.

Meeting of Pickle Packers

The National Pickle Packers Association has set tentative dates—May 9 and 10—for its annual mid-year meeting at the Stevens Hotel, Chicago.

DOLLARS-CENTS CEILINGS FOR CUBAN, MEXICAN PINEAPPLE

New Prices Represent Substantial Cut in Rates Now Being Charged by Foreign Sellers

Cuban and Mexican packed pineapple has been made subject to dollars-and cents maximum prices at places of entry into this country, the Office of Price Administration announces in issuing Amendment No. 126 to Revised Supplementary Regulation No. 14 to GMPR, effective April 29.

These prices are the same ceilings now in effect on Hawaiian pineapple delivered at Chicago, a central consuming market, OPA stated.

The new prices will mean substantial reductions in the abnormally high price which foreign sellers are now charging for Cuban and Mexican pineapple, OPA said.

The maximum import price for a dozen No. 10 cans of crushed Cuban and Mexican pineapple, ex. dock, Miami, Fla., duty paid, is \$7.66. For a No. 2 can, the price is \$1.59 per dozen cans. In line with these prices are those established for other varieties and styles of pack, including pineapple juice and fountain topping. Definite prices are also named for Mexican pineapple, ex railroad car or other type of carrier, Laredo, Tex.

Since little of it is sold as canned pineapple, today's ceilings will not affect canned pineapple prices to any great extent, the OPA press release states.

OPA said that it will supplement Amendment No. 126 by bringing Cuban and Mexican packed pineapple under the "fixed mark-up" regulations at wholesale and retail. This will mean that all Cuban and Mexican pineapple will sell at retail at prices substantially the same as Hawaiian pineapple prices.

To establish maximum prices for port of entry other than Miami the seller may add to or subtract from the named maximum prices the difference between the actual cost of ocean freight, war risk insurance and marine insurance from the port of origin to Miami, Fla., and the actual cost of these charges from the same port of origin to the specified port of entry. Maximum prices for any other point of entry on the United States-Mexico border are to be determined in the same way.

Industrial users who have already entered into contracts at prices higher than the new ceilings may carry out those contracts but they are required to file a copy of the contracts with OPA's national office.

Also, importers who have contracts with industrial, commercial or institutional users at previously applicable ceiling prices may fulfill the contracts at the prices agreed upon but must sell to all other purchasers at the new ceilings.

The amendment establishes the following maximum prices for No. 10 cans, ex-dock, Miami, Fla., duty paid:

Sliced:	
Fancy.....	\$ 8.42
Choice.....	8.01
Broken slices.....	7.66
Crushed (fine, or coarse cut):	
In natural juice.....	7.66
In syrup.....	8.16
In extra heavy syrup (40° brix cut out).....	9.66
Cut pieces (chunks and tidbits):	
In natural juice.....	8.16
In syrup.....	8.42
Juice (natural and sweetened), Fancy.....	6.15
Fountain topping ¹	10.76

Maximum prices of No. 10 cans, ex-railroad car or other type of carrier, Laredo, Texas, duty paid:

Sliced:	
Fancy.....	\$ 8.13
Choice.....	7.73
Broken slices.....	7.38
Crushed:	
In natural juice.....	7.38
In syrup.....	7.89
In extra heavy syrup (40° brix cut out).....	9.38
Cut pieces (chunks and tidbits):	
In natural juice.....	7.89
In syrup.....	8.13
Juice (natural and sweetened).....	5.67
Fountain topping ¹	10.49

¹ The net weight of a number 10 can of pineapple topping shall not be less than 7 pounds 12 ounces.

Work or Fight Bill Introduced

On April 25, Senators Ralph O. Brewster of Maine and Josiah W. Bailey of North Carolina introduced a bill into the Senate (S. 1864) to amend the Selective Service Act. The bill would make every man between 18 and 45 not now in the armed forces liable for induction either for special labor service or for military service if he left an essential job on a farm or in industry, or, if when called upon he failed to take a war job.

The bill comes close to being a "work at an essential job or fight" amendment. The President has recommended similar legislation. The Army, Navy and Maritime Commission have presented a united front in urging a law to "draft" workers. Many in Congress believe legislation of some kind is in order.

NEW RATION POINT VALUES ARE ESTABLISHED FOR MAY

Canned Tomatoes, Corn, Asparagus, Beets, Leafy Greens, Spinach, Black-eye Peas Made Point-free

Eight rationed vegetables will be added to the point-free list of processed foods for the period April 30 through June 3, Price Administrator Chester Bowles announced April 28.

The action is taken to move existing stocks into the hands of retailers and consumers to make way for new supplies, some of which are now in production. It is expected that points for most vegetables will be restored or increased after these supplies carried over from the last "pack season" are used up, it was said.

New point-free items are: Tomatoes, corn, asparagus, beets, leafy greens, spinach, canned blackeye peas, and garbanzo beans.

Items on which points are reduced are: Spaghetti sauce, soups, grape and tomato jams and preserves; apple, grape, mint, and plum jellies; bakers' jellies, and fruit butters.

Items on which points are increased are: Cranberries and cranberry sauce, tomato juice in large containers, canned or bottled dry varieties of beans (excluding soy, blackeye and garbanzos), tomato catsup and chili sauce, raspberry and strawberry jams and preserves.

In making public the new point values, Price Administrator Bowles gave these reasons for recent point reductions:

"Stocks of canned fruits and vegetables carried over from last year must be moved out before new supplies are available in great volume. This will free storage space in warehouses and, of greater importance, will encourage canners to put up just as much food as possible.

"Once the stocks from 1943 are gone, points on many if not all of the vegetables now at zero may have to be restored, and points for other items increased.

"Point values depend on many factors," Mr. Bowles said. "In the end, though, we have to be guided chiefly by the supply and the time it must last. We know that the new supply will have to last a year. What we don't know is how great that supply will be—although we know it will be less for civilians than last year, probably by about 20 per cent, based on present estimates.

"Although the outlook is for record farm production this year, the prospect is for a short supply of canned fruits and vegetables for civilians in 1944. Increased military needs will more than offset production gains.

"The problem, then, is one of production from the farmer right down the line. How much future point values of canned fruits and vegetables advance depends largely on how much farmers, commercial canners, Victory gardeners and home canners produce.

"There is another thing to remember. Farmers can grow crops only if they have 'growing' weather. For the past four years we have been blessed in most parts of the country, with ideal 'growing' weather. It could easily be otherwise this year. Should the weather be unfavorable, it would decrease still further—possibly to a serious degree—the already short supply of canned fruits and vegetables it appears civilians will have."

Fruit Values Unchanged

The point values of canned and bottled fruits, with the exception of cranberries, remain unchanged, although a trend toward slower movement which followed the increases in point values for March appears to be reversing itself, on the basis of demand during April.

When the points were advanced on fruits for March, the movement was slowed, surveys indicating that sales dropped from about 780 pounds per 1,000 persons in February to about 600 pounds per 1,000 persons for March.

The scheduled movement was exceeded during January and February by the actual movement, and indications based on preliminary wholesale movement of canned fruit are that the March schedule also will be exceeded. It was decided, however, not to increase fruit point values above their present high levels until the full effect of the March point changes can be measured.

Official Chart is Changed

The official point value chart for May has for the first time, for the convenience of the consumers, a special listing of commodities which have been at zero point value for 30 days or longer. Items going to zero on April 30 are listed in the chart itself along with items which have a point value.

The May chart also states home processed food point values separately for each big food group. Points for home processed foods (containers over 14 ounces and including 1 pound, 2 ounces) are: Fruits, 10; juices, 2; vegetables, 1; spreads, 4; special products, 12.

Special listings are provided on the new chart for clam and sea food soups and chowder, and for spaghetti sauce making it possible to give these items special treatment in setting points.

Reasons for Point Changes

Point value changes and the reasons given by OPA for each follow:

Cranberries or sauce (whole, strained or jellied), No. 2 can; increased 7, new value 15. Actual movement far exceeded schedule and indications point to a continuing, steady consumer demand for this item. Its former 8-point value for a No. 2 can made it the "point bargain" of the fruit group, and purchases by consumers were much greater than usual at this time of year.

Tomato Juice, No. 3 can (46-ounce), increased 2; new value 18; No. 10 container (6-pound), increased 6; new value 30. These large sizes were moving out too rapidly in relation to the popular-sized No. 2 container and it was necessary to increase the points.

Asparagus, No. 2 can; decreased 10, new value zero. Asparagus was reduced to zero to move out 1943 stocks and to make way for the new pack which has already started. The zero point value is temporary, and all indications are that points will be restored in June.

Beets (include pickled) No. 2 can, decreased 3, new value zero. The actual movement of beets has not met the schedule for the past few months. There has been a steady decrease in consumer demand for this commodity as indicated by the consumer panel for the month of April, consumer purchases of beets dropping from 54 pounds to an estimated 38 pounds per 1,000 persons. In addition, civilian stocks are larger this year compared to the same time a year ago. To stimulate the movement, beets were given a zero value.

Corn, No. 2 can, decreased 8, new value, zero. An indicated drop in consumer demand and an adequate stock position permitted a sharp decrease to move present stocks before the start of the new pack. Reductions in February and March stimulated the movement, but apparently the zero point value on peas, green and wax beans and a lower point value for tomatoes slowed down the movement on corn.

Leafy greens, No. 2 can, decreased 4; new value, zero. An actual movement below the scheduled movement plus nearness of the 1944 pack, which has already begun, made a point decrease possible. The reduction to zero was for the purpose of speeding up the movement of 1943 stocks.

Spinach, No. 2 can, decreased 6; new value, zero. Heavy stocks at the wholesale level of trade plus early heavy production of the new pack and heavier stocks this year compared to last made the reduction possible.

Tomatoes, No. 2 can, decreased 5, new value, zero. Actual movement of tomatoes was below scheduled movement and consumer demand during April dropped sharply. Here again substantially larger stocks were on hand. The point value was reduced to zero to move these stocks.

Beans, all canned or bottled dry varieties (exclude soys, blackeyes, and garbanzos), No. 2 can, increased 5; new value, 13. Actual movement has exceeded scheduled movement and consumer demand continues to increase. The new point value was fixed to slow down the movement. Soy beans were excluded some time ago but blackeye peas and garbanzos have been rationed until now. These items have not been extensively packed and consumer demand for them is not as strong as for other varieties of dry beans.

Spaghetti sauce, labeled as such and containing fats and mixed vegetables, 8-ounce container, decreased 3, new value, 2. Last month this item was listed on the official point value chart as "Tomato Sauce." Information on spaghetti sauce indicated that a separation on the point chart was necessary, since a lower point value was needed to stimulate the movement of this commodity.

Spaghetti sauce, in combination package with cheese, 8-ounce container, decreased 3, new value, 3. The picture reflected the need for a slightly higher point value than for other spaghetti sauce.

Tomato catsup or chili sauce, 14-ounce container, increased 7, new value 30. The movement has been too rapid, actually having exceeded scheduled movement since January. The consumer demand has been increasing since December.

Clam and other sea food soups, include chowder, 10½-ounce container, decreased 2; new value, 2. Slow movement of these soups required a separate listing on the point chart to give them a lower point value than other concentrated and condensed soups.

Tomato soup, 10½-ounce container (No. 1 Picnic), decreased 1; new value, 3. A slight decrease was necessary to stimulate the movement of tomato soup from the wholesale level. While packers' stocks of tomato soup are relatively small, moderate wholesalers' stocks are so unevenly distributed that movement to retailers and consumers is not as great as would be the case if all distributors had stocks. Therefore, in order to move these stocks to the retail-consumer level, a slight decrease was necessary.

Other concentrated or condensed soups, 10½-ounce container, decreased 1, new value, 3. This group includes a number of varieties which have not been moving as rapidly as desired. The lower point value should help bring about an improvement.

Jams and Preserves

Raspberry, strawberry (or in combination with apple or any other fruits or flavors), 1-pound container, increased 8; new value 16. Stocks of these spreads are unusually scarce, actual movement far exceeding scheduled movement since November when fruit spreads were added to the list of ra-

tioned processed foods. They are the most popular flavors.

Grape, tomato, 1-pound container, decreased 2; new value 2. Production of this item has been heavy, making a lower point value desirable.

Apricot, blackberry and other berries, cherry, peach, pineapple, 1-pound container, no change. Point value 8; included here because of the new breakdown on the official chart for jams and preserves.

All other jams and preserves, zero.

Jellies

Apple, grape, mint, plum, 1-pound container, decreased 2; new value 2. Heavy production is responsible for the reduction.

Bakers' jellies (containing no fruit or fruit juices), 1-pound container, decreased 2, new value 2.

Fruit butters (include only apple, apricot, grape, peach), per pound, decreased 2, new value 2. Supplies of these items have been increasing.

The processed foods point value changes, effective April 30, along with comparison with former values are given below:

	Point values	
	Old	New
FRUITS		
Cranberries or sauce—whole, strained or jellied, No. 2 can.....	8	13
JUICES		
Tomato juice:		
No. 3 (46-ounce) can.....	16	18
No. 10 (6-pound) can.....	30	36
VEGETABLES		
Asparagus, No. 2 can.....	10	0
Beets, No. 2 can.....	3	0
Corn, No. 2 can (except vacuum packed).....	8	0
Leafy greens, No. 2 can.....	4	0
Spinach, No. 2 can.....	6	0
Tomatoes, No. 2 can.....	3	0
Corn (vacuum packed) 12-ounce can.	6	0
SPECIALTIES		
Beans, all canned or bottled dry varieties, No. 2 can (except soys, blackeye peas and garbanzos).....	8	13
Spaghetti sauce, labeled as such, containing fats and mixed vegetables, 8-ounce containers.....	3	2
Spaghetti sauce, in combination package with cheese, 8-ounce container.	6	3
Tomato catsup or chili sauce, 14-ounce container.....	23	30
Clam and other sea food soups, include chowder, 10½-ounce container.....	4	2
Tomato soup, 10½-ounce container (No. 1 Picnic).....	4	3
Other concentrated or condensed soups, 10½-ounce container.....	4	3
JAMS AND PRESERVES		
Raspberry, strawberry (or in combination with apple or any other fruits or flavors) 1-pound container.....	8	16
Apricot, blackberry, other berries, cherry, peach, pineapple, 1-pound container.....	8	8
Grape, tomato, 1-pound container...	4	2

	Point values	
	Old	New
JELLIES		
Apple, grape, mint, plum, 1-pound container.....	4	2
Bakers' jellies (imitation) per pound.	4	2
Fruit butters (include only apple, apricot, grape, peach) per pound...	4	2
MEATS IN TIN OR GLASS		
Chile con carne, with beans.....	2.0	1.0
Chile con carne, without beans.....	4.0	3.0
Chopped ham.....	3.6	2.7
Chopped pork.....	3.6	2.7
Deviled ham.....	3.0	2.0
Deviled tongue.....	3.0	2.0
Dried beef, sliced.....	16.0	12.0
Luncheon meat (including spiced)...	3.6	2.7
Luncheon meat (less than 3-lb.).....	4.0	3.0
Meat spreads.....	3.0	2.0
Potted and deviled meats.....	3.0	2.0
Spiced ham.....	3.6	2.7
Tongue, beef.....	4.0	2.0
Tongue, lamb, pork or veal.....	3.0	2.0

FRUIT SPREAD RATIONING

Changes in Official Point Value Chart Bring About Simplification

Rationing of fruit spreads will be simplified for the trade as a result of changes in the official point value chart for May, the Office of Price Administration said April 28.

New listings make possible a breakdown which indicates the flavors and combinations of flavors that are rationed. Flavors not specifically listed on the chart are considered in the "all other" line with a zero point value.

Any combination of rationed flavors will take the highest point value carried by the flavors used in the spreads combination. For example, a combination of strawberry and grape would take the point value of strawberry, which is 16 points per pound jar, instead of grape, which has a point value of two points per pound jar.

Similarly, a combination of a rationed flavor with an unrationed flavor is given the point value of the rationed flavor. For example, a combination of citrus orange marmalade, which has a zero point value, and cherry, which is rationed, would be 8 points per pound, the point value of cherry.

The new listings make it possible to place in the zero point value group dozens of items such as papaya preserves, tangerine preserves, rhubarb preserves, carrot marmalade; guava, papaya and orange jelly, and a wide variety of tropical spreads such as calamondom, kumquat, roselle, satsuma, tangelo, carimbola, mango and sea-grape, individually or in combination with an item of zero point value.

The same method is used in listing jellies and the point value of jelly combinations will be determined in the same manner as for other spreads.

The fruit butter section specifically lists those made from apple, apricot, grape and peach. Such items as prune butter and other unspecified fruit butters have no point value.

Spreads and jellies in the "all others" groups are still included on reporting forms (R-1305 for the processor) even though these items have a zero point value, since they have not been removed from the definition of processed foods.

The size break-down for spreads now includes the No. 10 size container. In previous rationing periods, the point value of this size was not given.

Fruit paste, as included in the heading with jams, preserves, etc., means a type of jam which is sometimes identified as a "paste," such as fig paste or apricot paste.

Rationing of Foods Required for Research is Eased

Recognizing that food and nutrition experiments are of vital importance, particularly during periods of food scarcity, the Office of Price Administration is making it easier for those needing rationed foods for research purposes to obtain them, the agency said April 25, in releasing Amendment No. 27 to Revised Ration Order 13, Amendment No. 130 to RO 16, and Amendment No. 12 to RO 5, all effective April 29.

Those who engaged in food and nutrition research during 1942 (period of base use) have had only to apply to their local boards for an allotment, but those who had no need for rationed foods for these purposes until after 1942 have had to apply to Washington for their supplies.

Under the new provisions, they may apply to their OPA district office and the district office may grant the request, provided it is found "in the public interest" to do so.

Definition of Textile Bag

The term "textile bag" was re-defined April 26 by the War Production Board, in an amendment to the Textile Bag Order (WPB M-221).

"Textile bag" means any bag, hand or machine sewed, made for commercial packing, storing or shipping some commodity. The bag may be of cotton, burlap or other fabric including open mesh weaves of cotton or twisted paper yarn. The following are excluded from the definition: Shopping bags, carry-out bags, bale covers, textile wrappings and the combination bags made of textile laminated with paper.

FERTILIZER APPLICATION

Rate per Acre for Straight Chemical Nitrogen Specified for Crops East of the Rockies

The maximum rate of application of straight chemical nitrogen fertilizer is specified in WFO 5-6, issued by the War Food Administration, and made effective April 22. The specified rate applies to any crop grown in States east of the Rocky Mountains. Text of the order is as follows:

§ 1200.100 *Maximum rate of application per acre for straight chemical nitrogen materials for use on any crop grown in States east of Rocky Mountains.* In North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, and in all States lying east of such States, the maximum rate of application per acre for any person for straight chemical nitrogen materials for use on any crop shall be the rate of application per acre customarily used by such person for such crop, or customarily used on comparable farms in the same area for such crop, or the rate of application per acre recommended by the State Agricultural Experiment Station for such crop in the same area: *Provided, however,* That in no case shall the rate of application per acre exceed the rate of application per acre recommended by the State Agricultural Experiment Station for such crop in such area.

WFA Releases Canned Corn, Orange Juice, Pumpkin, Kraut

The War Food Administration is releasing to the trade the following quantities of canned foods from government stocks:

Canned corn—391,214 cases of No. 2 cans.

Orange juice, single strength—approximately 28,000 cases of No. 2 cans, 26,000 cases of No. 3 cans, and 18,000 cases of No. 10 cans.

Pumpkin—around 125,000 cases, mostly No. 2½ cans, some No. 10 cans.

Sauerkraut—about 90,000 cases, packed 6 cans of the No. 10 size to the case.

Release of this food is in keeping with the WFA policy of returning commodities for civilian use which are not now needed because of changing war requirements.

The quantities of food which will be sold to the trade from time to time will be relatively small compared with total commercial stocks, and will be released in a manner so as not to disrupt regular markets. Foods for resale are offered to the packers from whom they were originally purchased.

Minimum Wage Order

A minimum wage of 40 cents an hour has been established by the Department of Labor, upon recommendation of the industry committee, for the fruit and vegetable packing and farm products assembly industry, effective May 22. In the order published in the *Federal Register* for April 23, the industry is defined as the "assembling and preparing for market of fresh fruits and vegetables, and other farm and related products, including wild and domesticated animals other than those for processing into food for human consumption or animal consumption" but does not include "any product included in the canned fruits and vegetables and related industry."

FIFTH WAR LOAN DRIVE

Campaign from June 12 to July 8 Has 16 Billion Dollars as Goal

The Fifth War Loan Drive will be launched by the U. S. Treasury Department on June 12 and will run through July 8. The Department has requested trade associations to aid the campaign by disseminating information to members and urging their fullest possible participation.

The goal of the Fifth War Loan Drive will be 16 billion dollars, of which 6 billion is to come from sales of bonds to individuals, which amount the Treasury states is only slightly more than was purchased by individuals during the Fourth Drive. During the June 12 to June 26 period only sales to individuals will be recorded by the Treasury. Starting on June 26 a campaign will be carried on to sell 10 billion dollars' worth of bonds to all other non-banking investors which includes corporations, associations, etc. All subscriptions between June 1 and July 31 will be credited to the drive.

Trade association members are urged to

- (1) Pledge their immediate cooperation to local War Finance Committees,
- (2) Assign some of their paid personnel to assist local committees,
- (3) Invest company and personal funds in some of the issues offered,
- (4) Arrange for complete coverage of all employees so that the goal of 6 billion sales to individuals will be quickly reached.

Following is a list of the series the Treasury will offer:

Series E, F and G savings bonds, Series C savings notes, 2½ per cent bonds of 1965-70, 2 per cent bonds of 1952-54, 1½ per cent notes of 1947, and ½ per cent certificate of indebtedness.

NEW WFA ORDER NUMBERS

Designations of Regulations, Orders, Directives Have Been Changed

The food production orders, food distribution orders, Commodity Credit orders, food directives and regulations of the War Food Administration have been given new numbers, effective immediately.

The list of these changes is given below, with the former numbers shown in the left hand column and the new War Food order numbers at the right. The subject of each order is likewise shown and only those orders are included that are of particular interest to the canning industry.

FDO 3	Citrus fruit juices.....	WFO 3
FDO 6	Citrus fruit.....	WFO 6
FDO 7	Sugar.....	WFO 7
FDO 10	Dried fruit.....	WFO 10
FDO 17	Raisins.....	WFO 17
FDO 10	Spices.....	WFO 19
FDO 22	Canned and processed foods...	WFO 22
FDO 29	Fats and oils.....	WFO 29
FDO 30	Dehydrated fruit, vegetables and soups	WFO 30
FDO 31	Fats and oils.....	WFO 31
FDO 43	Fats and oils.....	WFO 42
FDO 44	Canned fish and canned shellfish	WFO 44
FDO 45	Beans and peas.....	WFO 45
FDO 48	Livestock and meats.....	WFO 48
FDO 55	California plums.....	WFO 55
FDO 60	Fish oil.....	WFO 60
FDO 62	Figs.....	WFO 62
FDO 65	Bartlett and Beurre pears grown in California, Oregon or Washington	WFO 65
FDO 69	Fruit for alcoholic purposes...	WFO 69
FDO 70	Food storage facilities.....	WFO 70
FDO 80	Concord grapes.....	WFO 80
FDO 83	Apples.....	WFO 83
FDO 85	Grapefruit, Texas.....	WFO 85
FDO 88	Apples.....	WFO 88
FDO 90	Refrigerated food storage facilities	WFO 90
FDO 96	Corn.....	WFO 96
FPO 5	Delivery and use of fertilizer...	WFO 5
FPO 11	Pyrethrum.....	WFO 11
FPO 12	Organic nitrogenous material...	WFO 12
FPO 13	Rotenone.....	WFO 13
Food Dir. 2	Delegation of authority to Secretary of Interior with respect to fishery commodities or products	WFO 52
Food Dir. 3	Delegation of authority to OPA with respect to food rationing	WFO 56
Food Dir. 5	Delegation of authority to OPA with respect to rationing of processed foods	WFO 58
Food Dir. 6	Delegation of authority to OPA with respect to rationing of fats, oils and cheese	WFO 59
Food Dir. 7	Delegation of authority to OPA with respect to rationing of meats	WFO 61
Food Dir. 8	Delegation of authority to OPA with respect to rationing of sugar	WFO 64
War Food Reg. 1	Provides for requisitioning of food for human or animal consumption	WFO 84
CCO 3	Restrictions on soy bean purchases	WFO 23
CCO 4	Purchase and sale of farmers stock of peanuts	WFO 24

CCO 5	Requirements for processors to set aside oil seed meal	WFO 26
CCO 6	Restrictions on purchase and use of soy beans	WFO 27
CCO 7	Restrictions on purchase and use of cotton seed	WFO 28
F.D. Reg. 1	Provides for priorities on foods for government agencies and essential civilian users	WFO 71
F.D. Reg. 2	Permits school and ship operators to buy set aside and restricted food	WFO 73
F.D. Reg. 3	Licensed ship suppliers permitted to buy set aside and restricted foods	WFO 74

Farm Employment on April 1 Is 3% Lower Than Year Ago

The number of people working on farms the first of April was 9,080,000—or about 3 per cent lower than for the same date last year; and the general level of farm wage rates was at an all time high, the U. S. Department of Agriculture reported April 18. The index of farm wages was 292 per cent of the 1910-14 average—17 points higher than on January 1 this year, and 53 points higher than on April 1, 1943.

All sections of the country indicated sharp increases in farm wage rates from April last year with the largest gain recorded by the Pacific Region where the index rose 57 points during the 12-month period. The rise in the average rates per month with board ranged from 16 per cent in the East North Central Region to 26 per cent in the West South Central States. The largest relative increase from last April in the rate per day without board was in the West South Central Region where a gain of 28 per cent was made; the smallest increase was 13 per cent in New England, it was reported.

The index of supply of farm workers available April 1 this year was 54 per cent of the 1935-39 average. This percentage is only slightly smaller than the percentage reported for the same date last year. The demand for farm workers, at 127 per cent of the 1935-39 points higher than on April 1, 1943.

ICC Order No. 165 Set Aside

The Interstate Commerce Commission has set aside Service Order No. 165 which prohibited the movement of canned foodstuff in refrigerator cars in certain sections. This order was reported in the INFORMATION LETTER for December 4, and subsequent amendments were reported in the issues of December 31, January 15 and February 5. Decision to vacate and set aside Order 165 was taken at a session of the Commission held in Washington on April 24. The set-aside became effective immediately.

STRAWBERRY CEILINGS

Reflect to Growers 15 Cents a Pound for Stemmed Berries Delivered to Processing Plant

Ceiling prices for fresh strawberries were established April 25 by the Office of Price Administration in Amendment No. 25 to Maximum Price Regulation No. 426; Amendment No. 10 to MPR No. 422; and Amendment No. 17 to MPR No. 423.

Under the new ceilings, which became effective April 27, growers will receive approximately the 1943 national average farm price of \$6.51 per 24-quart crate. Allowance for costs of hauling, loading, pre-cooling, inspection and selling, and provision of a "cushion" to cover differences for season, grade and variety, results in an average price for the season, f. o. b. the country shipper, of \$8.14 for a 24-quart crate.

Processed strawberries are to be given ceilings that will reflect to growers 15 cents per pound for stemmed berries delivered to the processing plant.

The f. o. b. prices are established for three geographical zones with price adjustments within Zone I for historical seasonal variations in production and price.

Prices f.o.b. the country shipper for Zone I (North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas and all States east of these States), Zone II (Montana, Wyoming, Colorado, Idaho, New Mexico, Arizona, Nevada, Utah and California), and Zone III (Washington and Oregon), are as follows:

	Zone I		
	Pint Cents	Quart Cents	Pound Cents
Beginning of season			
through April 15.....	23	44	29½
April 16 through May 1.....	19½	37	24½
May 2 to end of season..	16½	32½	21½
Zone II			
Entire season.....	20	39	26½
Zone III			
Entire season.....	13	27	18

Pint and quart prices are for strawberries packed in pint and quart containers, while the pound prices are for strawberries in any container.

Delivered price at a wholesale receiving point is the f. o. b. country shipping point price for the zone in which the shipping point is located plus freight from the shipping point to the wholesale receiving point.

Wholesalers are given specific mark-ups by the pound, and by the container which they may add to the applicable zone f. o. b. price, plus the actual freight paid on each individual lot or shipment of strawberries.

INTENDED ACREAGE FOR FIVE PROCESSING CROPS

Report on April Planting Intentions for Tomatoes, Beets, Cucumbers, Pimientos, Kraut-Cabbage

Reports on the intended acreage of five crops for processing—tomatoes, beets, cucumbers for pickles, pimientos, and cabbage for kraut—have been issued by the U. S. Bureau of Agricultural Economics, based upon information reported by processors early in April. The figures show the acreage that will result if these April intentions to contract and plant are carried out, but since the plans may be modified, they are not to be considered as estimates of the acreage planted for the season.

Tomato processors' reports from the Western States, most of the important Central States except Michigan, and the Atlantic Coast States north of Virginia indicate that an attempt is being made to increase this year's acreage above the 1943 plantings in these areas. The acreage-intentions increases range from 2 per cent in Maryland to 30 per cent in Ohio. According to present indications the tomato acreage for 1944 will be reduced from last year's plantings in the Kentucky-Tennessee area, the Ozarks, Iowa, and Virginia.

Abandonment of planted tomato acreage because of unfavorable growing conditions has averaged 6 per cent annually during the past 10 years. If this loss is assumed for 1944, a planting of 627,060 acres would result in around 500,000 acres for harvest.

Plantings of beets for canning may total 19,670 acres in 1944, an increase of 3 per cent above the 19,100 acres planted in 1943. Loss of acreage planted to processing beets as a result of adverse growing conditions has averaged 9.7 per cent annually during the past 10 years. A planting of 19,670 acres would result in about 17,800 acres for harvest if the loss in 1944 is about average.

Pickle packers indicate an increase of nearly 6 per cent over the acreage planted in 1943. Abandonment of acreage planted to cucumbers for pickles has averaged around 10 per cent annually for the past 10 years, and if this loss of planted acreage is assumed for 1944, a planting of 102,120 acres will result in about 91,000 acres for harvest.

If pimiento packers in California and Georgia carry out their plans, the 1944 plantings in those States will total 10,240 acres, a reduction of nearly 7 per cent from the 10,990 acres planted in 1943. Many fields of pimientos in South Georgia were damaged by heavy

rains that fell after the seed was planted and some replanting has been necessary. In the central portion of the State setting plants into the fields usually starts around May 1.

Contracted acreage of cabbage for kraut (including packers' own plantings) may be 6 per cent less than in 1943 on the basis of kraut packers' reports. Should early-season intentions be carried out, the acreage planted under contract for the 1944 season would be 10,280 acres compared with 10,940 acres planted in 1943. If abandonment of planted acreage is about the same as the average for the years 1933-42 about 9,000 acres of the reported "intentions" would be available for harvest. This would be 3 per cent above the 1943 contracted acreage harvested and 8 per cent above the 1933-42 average.

In Wisconsin and New York, where contracting of acreage is heaviest, the intended acreages for 1944 are 11 and 15 per cent, respectively, below those planted in 1943. Ohio and Indiana packers indicate increased acreages this year. In most other States, where the contracted acreage is relatively small, some reduction is expected.

The following table shows the intended acreage of four of the crops in 1944 as compared with the planted acreage in 1943, by States:

Crop and State	1943 planted Acres	1944 in- tended Acres
TOMATOES		
New York.....	23,500	23,000
New Jersey.....	34,000	37,400
Pennsylvania.....	30,000	35,700
Ohio.....	25,800	33,500
Indiana.....	105,000	109,200
Illinois.....	9,700	10,700
Michigan.....	7,400	7,000
Iowa.....	5,500	5,300
Missouri.....	23,200	17,000
Delaware.....	13,100	15,100
Maryland.....	72,900	74,400
Virginia.....	37,400	36,600
Kentucky.....	8,900	7,600
Tennessee.....	12,000	9,000
Arkansas.....	32,700	24,500
Colorado.....	5,300	5,900
Utah.....	8,300	8,300
California.....	112,680	130,000
Other States.....	33,350	34,260
Total.....	600,730	627,060
BEETS		
New York.....	5,600	6,200
New Jersey.....	900	1,000
Indiana.....	300	250
Michigan.....	1,500	1,500
Wisconsin.....	5,500	5,600
Oregon.....	2,710	2,300
Other States.....	2,590	2,820
Total.....	19,100	19,670
PIMIENTOS		
California.....	190	340
Georgia.....	10,800	7,900
Total.....	10,990	10,240

Crop and State	1943 planted Acres	1944 in- tended Acres
CUCUMBERS		
Massachusetts.....	500	800
New York.....	500	500
Ohio.....	3,300	3,000
Indiana.....	4,100	3,500
Illinois.....	1,700	1,600
Michigan.....	27,300	28,700
Wisconsin.....	14,500	16,000
Minnesota.....	2,000	2,300
Iowa.....	900	800
Missouri.....	900	1,000
Maryland.....	3,000	3,800
Virginia.....	3,000	3,900
North Carolina.....	6,300	6,600
Louisiana.....	300	350
Texas.....	6,000	6,000
Colorado.....	1,950	2,100
Washington.....	300	400
Oregon.....	1,300	1,800
California.....	2,240	2,070
Other States.....	15,110	16,300
Total.....	96,460	102,120

1943 Cranberry Sauce Pack

The cranberry sauce pack for 1943, in glass and tin containers, totaled 1,072,156 actual cases, according to reports received by the Association's Division of Statistics.

DISTRIBUTION OF COAL

Limitations on Industrial Purchases from Two Producing Districts

Solid Fuels Administrator Harold L. Ickes announced on April 24 the revision of industrial bituminous coal distribution regulations to conform to the supplies expected to be available in the various eastern and mid-western coal producing areas in the future.

The revisions embodied in Solid Fuels Administration for War Revised Regulation No. 10 tighten limitations on industrial purchases of coal from two Southern Appalachian producing districts (Nos. 7 and 8), where demand already far exceeds supply, and ease controls governing the remainder of eastern-mined bituminous coals to encourage increased purchases for stockpiling while the coal is available.

The changes enlarge the number of consumers subject to the controls by requiring that all consumers of 10,000 tons or more of coal per year, from all sources, including those shipping by truck, be classed as industrial consumers. The changes also require that persons receiving coal from commercial docks at retail to the extent of 2,400 tons or more per year file with their suppliers a report of their May 1 inventory so as to enable suppliers to make a more equitable distribution of their coal in accordance with SFA Regulation No. 21. This limits consumers who get coal by truck to 100 per cent of

their annual requirements for the 1944-45 "coal year", less their inventory.

The main changes, brought about by SFA Regulation 10, are as follows:

1. All industrial consumers of coal produced in Bituminous Production Districts Nos. 1, 2, 3, 4, 6, and 13 (comprising Central and Western Pennsylvania, Maryland, Northern West Virginia, Ohio, the West Virginia "Panhandle" and Alabama) are permitted to order and receive on and after May 1 at least their current monthly consumption requirements, regardless of their stock position.

2. Any industrial consumer with less than 30 days' supply of coal on hand, calculated on the basis of his estimated November, 1944, consumption requirements, may purchase, except from the two Southern Appalachian districts where coal is already scarce, in addition to his current requirements, an amount equivalent to at least 20 per cent of his estimated November, 1944, consumption to build up his stockpile to a 30 days' supply as of November 1, 1944.

3. Because of their scarcity, the amount of Districts Nos. 7 and 8 (Southern West Virginia, Eastern Kentucky, parts of Virginia and Tennessee) coals that industrial consumers may buy is reduced approximately 5 to 10 per cent monthly, but consumers may and should, for their own protection, substitute alternative eastern and mid-western coals to meet their needs.

4. Industrial consumers receiving coal via the Great Lakes, including ex-lake dock shipments, are permitted to order and receive from all sources between May 1, 1944, and May 15, 1945, no more than their consumption requirements, less their inventory on May 1.

5. Industrial consumers receiving coal partly via the Great Lakes and partly by all-rail routes are similarly restricted to ordering and receiving between May 1, 1944, and May 15, 1945, no more than their consumption requirements, less their inventory on May 1. However, this group is permitted to maintain stockpiles of at least 30 days' supply.

Early Purchase Urged by WPB

Industrial consumers of bituminous coal have been urged by Donald M. Nelson, Chairman of the War Production Board, to buy and store maximum amounts of coal during the coming months in anticipation of a serious deficit in supply for the 12 months which started April 1.

In an open letter to coal consumers, Mr. Nelson pointed out that in 1941, '42 and '43 when the Government had requested summer coal buying, an adequate mine supply of bituminous coal was in prospect. Now the position is far more serious. The Solid Fuels Administration for War forecasts a deficit

for the coming year between coal production and requirements of at least 25,000,000 tons, perhaps even 45,000,000 tons if manpower in the mines is seriously diminished by draft requirements.

"It is thus imperative that all industrial consumers place orders for coal without regard to their seasonal requirements and in a manner such as to keep the mines of the nation working full time every day of the year," Mr. Nelson said.

With the summer months approaching, and in spite of the critical coal supply prospect, orders for the lower grades of coal are declining, Mr. Nelson said, and some mines are not working full time. The consequent loss of fuel is irreplaceable and the WPB chairman called upon all consumers to reverse this trend and buy coal of all grades "with the same immediacy of demand as will prevail next winter when consumption is exceeding production by a wide margin."

All Fish Cannermen Exempt from 7th Day Double-Time Payment

By a ruling effective April 24, 1944, the Secretary of Labor has determined that Executive Order 9240 relating to overtime wage compensation (double time for the seventh consecutive day) shall not apply to employees engaged in the processing of fish including the canning and reduction thereof and operations incidental thereto in the United States, its Territories, and Possessions. Prior to the issuance of this determination, exemption from the overtime wage provisions had been granted only for employees in the States of Washington, Oregon, and California, and the Territory of Alaska (see INFORMATION LETTER for June 12, 1943).

Manpower Recruitment Kits

Advertising materials for local use in recruiting food processing workers have now been distributed to all cannermen. At least, such is the intention of the War Manpower Commission in making its mailing of these materials last week. Any cannerman who has not received the kit, and who wishes to have these materials, can write directly to the Association's Manpower Division.

The kit consists of newspaper advertisements, newspaper news stories, radio scripts and posters. They have been produced by the War Manpower Commission, the War Advertising Council and the Office of War Information. The Manpower Division cooperated and the N. C. A. is financing the mechanical production of the kits just distributed.

OPA ESTABLISHES CEILINGS FOR USED SHIPPING CASES

Prices in Some Classifications Reduced by More than Fifty Per Cent

Prices of second-hand corrugated and solid fibre paperboard shipping containers will be substantially reduced and in some cases more than cut in half as a result of new ceiling prices for these containers established by the Office of Price Administration, April 26.

The new specific dollars-and-cents ceilings established in Maximum Price Regulation No. 529, effective May 1, represent approximately 80 per cent of the cost of the containers when new. Four basic ceiling prices, per hundred-weight, covering sales by emptiers, dealers or any other kind of sellers, follow:

Repairable—unsorted.....	\$1.75
Reusable—unsorted.....	2.25
Reusable or reconditioned (sorted by size).....	3.75
Reusable or reconditioned (sorted by size and by brand name).....	4.00

For sales of reusable and reconditioned containers in lots of less than 100 containers, dealers may add to the prices above \$.95 per cwt. for containers sorted to size and \$1.00 per cwt. for containers sorted by size and brand name.

The new ceilings apply regardless of size, style, shape or kind of paperboard. The ceilings are on a delivered basis up to ten miles from seller's establishment, and at purchaser's expense beyond ten miles. On rail shipments the ceilings are f.o.b. cars. If delivery is taken at seller's door, ceilings must be reduced 25 cents per hundredweight.

A shipment must contain 95 per cent or more of a given classification of containers to qualify for the ceiling price of that classification. The entire weight of shipments containing 95 per cent or more of a given classification of containers may be priced at the ceiling for the classification. Where a shipment contains more than 5 per cent of wastepaper, the charge for the entire shipment must be based only on the weight of containers qualifying as repairable, reusable or reconditioned containers and no charge at all can be made for the balance of the shipment.

The new regulation follows months of a chaotic pricing situation in this second-hand industry, attributable primarily to these two conditions:

1. Emptiers of these containers have been exempt from price control when the containers were sold for reuse.

2. A general shortage of new containers because of the unprecedented demand for containers of all descriptions to ship war goods to all corners of the

globe has created a tremendous demand for second-hand containers. Moreover, War Production Board limitation orders have restricted some industries in new container use.

The action is designed to tie in with the WPB's campaign to promote reuse of all types of containers. WPB has urged OPA to stabilize prices in this industry and requests for action also

come from large reusers of these containers.

Any used paperboard shipping container which is not reusable, or repairable, is termed wastepaper and is not considered a second-hand paperboard shipping container. Any container with an outside surface tear or a hole in the fibre or which is not knocked down flat is not considered a reusable or repairable container.

Concord Grape and Fresh Citrus Industry Committees

Two more joint Office of Price Administration and War Food Administration Industry Advisory Committees have been named. They are the Concord Grape Producer-Processor and the Fresh Citrus groups. Members of the Concord Grape Committee are the following:

Carl Buskirk, Paw Paw, Mich.
Lee H. Downer, Chautauqua County Fruit Co., Forestville, N. Y.
A. D. Elabarger, Keystone Coop. Grape Assn., North East, Pa.
C. A. Elder, Berrien County Fruit Exchange, Inc., Stevensville, Mich.
A. J. Hinz, 31734 Lake Road, Avon Lake, Ohio.

Lou F. Long, Red Wing Company, Inc., Fredonia, N. Y.

F. M. Ludlow, Church Grape Juice Company, Kennewick, Wash.

G. L. Mickel, Finger Lakes Fruit Products Corp., Inc., Watkins Glen, N. Y.

H. G. Naylor, North East, Pa.

Randall S. Pratt, Goebel-Pratt Company, Spokane 8, Wash.

Ted Skinner, Westfield Planters Coop. Fruit Products, Inc., Westfield, N. Y.

Willard E. Smucker, J. M. Smucker Company, Orrville, Ohio.

Paul R. Welch, Welch Grape Juice Company, Westfield, N. Y.

Townsend Zelle, Hudson River Small Fruits Company, Marlboro, N. Y.

Following are the members of the Fresh Citrus Industry Committee:

Romer R. Johnson, American Fruit Growers, Inc., Los Angeles, Calif.

R. D. Keene, R. D. Keene, Inc., Winter Garden, Fla.

G. O. McDaniel, G. O. McDaniel Co., Edcouch, Tex.

R. B. McLeish, Rio Grande Valley Citrus Exchange, Weslaco, Tex.

J. J. Parrish, Nevins Fruit Co., Inc., Titusville, Fla.

Charles A. Rogers, Zulfer and Rogers, Alamo, Tex.

A. Vernon Saurman, Clearwater Growers Association, Clearwater, Fla.

J. A. Steward, Mutual Orange Distributors, Redlands, Calif.

F. R. Wilcox, California Fruit Growers Exchange, Los Angeles, Calif.

1943 Pack of Green Beans

The pack of green beans in 1943 totalled 18,716,546 cases of all sizes of containers. This is nearly a million cases less than the 19,624,002 reported in 1942, according to the Association's Division of Statistics.

The wax bean pack was 2,150,062 cases, against 2,057,239 cases in 1942, and is a record pack.

These reports are based on figures received from all canners known to have packed beans during 1943. On a basis of 24 2's, the 1943 packs were as follows: Green beans, 20,657,972; wax beans, 2,254,840; total green and wax, 22,912,812. The following tables present the 1942 and 1943 packs by States:

	1942	1943
Maine, Vermont and Massachusetts.....	156,756	301,609
New York.....	1,523,914	756,012
Maryland and Delaware.....	4,410,667	110,694
Pennsylvania.....	590,333	109,947
Indiana.....	182,351	11,663
Michigan.....	575,813	157,845
Wisconsin.....	978,184	367,809
Iowa and Nebraska.....	95,241	19,657
Kentucky and Tennessee.....	576,828	560,271
Arkansas and Missouri.....	2,953,022	1,818,996
Texas.....	1,033,560	1,025,400
Colorado.....	276,330	64,751
Utah.....	210,839	33,684
Washington.....	394,500	7,923
Oregon.....	1,611,415	10,345
California.....	348,659	579,483
Other States.....	3,747,190	44,550
Total.....	19,624,002	2,057,239

The pack in 1943, by size of container, is shown in the following table:

Can size	Green Cases	Wax Cases
No. 2 (24 to case).....	12,381,880	1,747,602
No. 2½ (24 to case).....	405,241	3,012
No. 10 (6 to case).....	5,652,958	367,444
Miscellaneous tin.....	96,114	1,777
Miscellaneous glass.....	180,353	30,227
Total.....	18,716,546	2,150,062

Clark Resigns WMC Post

Resignation of Robert L. Clark as Chief of its Employment Office Service Division was announced April 26 by the War Manpower Commission. Mr. Clark has entered the service of the U. S. Bureau of the Budget as Principal Budget Examiner. His successor has not yet been appointed.

WFA Support Price for Utah Sweet Corn is Increased

The support price of sweet corn has been increased from \$17 to \$23 per ton for the State of Utah. This increase was the result of including Utah with the other States in the Northwest where the support price was \$23 a ton. Details of the War Food Administration's official price support program for vegetables for canning and canned vegetables were published in the INFORMATION LETTER for February 19, 1944.

Charlotte Carr Resigns WMC

Miss Charlotte Carr, who has been assistant to Vice Chairman Clinton S. Golden of the War Manpower Commission, has resigned to become New York regional director of the CIO Political Action Committee, WMC announces.

Prior to joining the staff of WMC, Miss Carr served as director of the Hull House in Chicago, as director of the Emergency Relief Bureau in New York City, and as Secretary of Labor in Pennsylvania.

1942		1943	
Green Cases	Wax Cases	Green Cases	Wax Cases
156,756	301,660	247,800	694,528
1,523,914	756,612	1,433,111	629,040
4,410,667	110,694	3,712,292	73,777
590,333	109,947	546,512	164,106
182,351	11,663	117,976	8,973
575,813	157,845	822,182	246,624
978,184	367,809	1,280,619	391,002
95,241	19,657	73,737	28,238
576,828	.....	560,271	850
2,953,022	.....	1,818,996	.....
1,033,560	.....	1,025,400	.....
276,330	64,751	300,314	53,569
210,839	33,684	183,346	15,280
394,500	7,923	581,810	7,540
1,611,415	10,345	2,012,461	18,003
348,659	.....	579,483	.....
3,747,190	44,550	3,620,146	21,903
19,624,602	2,057,239	18,716,546	2,150,062

Report on Canned Poultry

The Bureau of Agricultural Economics states that primarily because of requirements of the armed forces, the quantity of poultry that will be canned during 1944 will probably greatly exceed the quantity that has been canned in former years. At the present time requirements of the armed forces for 1944 have been estimated at 31,000,000 pounds of canned poultry, the equivalent of roughly 75,000,000 pounds of poultry on a dressed-weight basis. During 1943 the quantity of dressed-weight poultry canned was estimated at 80,763,000 pounds.

SMITH COMMITTEE PROPOSES AMENDMENTS TO PRICE ACT

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subsequent increases and decreases in production costs and profits.

In connection with these new standards, the Committee proposal requires individual price adjustments to be made where it appears that an efficiently operated business, having no inflated capital investment, is operating at a loss under a particular price regulation. Linked to this provision in the Committee proviso that nothing in the Act shall be construed to give the Administrator the power to fix profits "where such action has no relation to price control."

Furthermore, the position of the industry advisory committees is strengthened by requiring the Administrator, in all cases, before issuance of a regulation or order, to advise and consult with the advisory committees and to "give due consideration to their recommendations." A similar provision requiring the Administrator to consider recommendations of the industry advisory committees is added to cover consultations and recommendations after a maximum price regulation has been issued.

The Committee, commenting on these amendments, said that the proposal to establish a specific base period had been prepared to avoid any interpretation of the present law which now, because of the words "so far as practicable" allows the Administrator to use some base period other than October 1 to 15, 1941, thus permitting use of lower prices prevailing before 1940. The Committee also stated that its amendments are designed to require adjustments in prices to recognize subsequent increases or decreases in costs or profits. The Committee said, "It is generally conceded that the element of profit must be considered in all price fixing. However, the end should be the stabilization of prices rather than the limitation of profits. The above proposal declares this purpose." The Committee made it clear that adjustments were to be made on the basis of the production of an individual commodity and not on the basis of overall profits.

In connection with the requirement that adjustments be made, the Committee added an amendment that the adjustments made for sellers should be passed on to the subsequent dealers in the same commodity. For example, if a price adjustment is made for a manufacturer, the Committee amendment requires a similar increase to be given to wholesalers and retailers.

Changes in Business Practices

The Committee added to Section 2 (h), which is now 2 (g) of the Committee bill, a requirement that no change shall be made in business practices "unless upon an affirmative showing by the Administrator it is established that such changes are necessary" to prevent price evasion or violation. The Committee commented that this places the duty upon the Administrator to show that it is "absolutely necessary" for effective price control to require business changes which, the Committee stated, is a restatement of the original intent of Congress.

The Taft amendment concerning grade labeling and standardization of products has been left unchanged in the Committee revision.

One of the sources of complaint, particularly among persons in the textile and clothing industries, has been OPA regulations prohibiting a seller from offering merchandise of a higher quality than that which the seller sold during some previous base period. The Committee has proposed an amendment prohibiting any similar regulations. The Committee stated: "Such a regulation results in unfairness to a long-established business and in an enrichment of newcomers to a business who are not under any such restrictions and could therefore offer the same quality of goods at a higher price."

Court Review and Enforcement Procedures

Some of the most important amendments proposed by the Committee are those concerning protests to regulations and court review. Both of these subjects have been the source of much criticism by industry witnesses throughout the hearings. The Committee has substantially changed the protest procedure by removing all time restrictions on filing of protests and by setting a time limit which the Administrator must decide the protest. A protest, which may be made at any time, must be decided within 60 days after filing of the protest, except in the case of highly perishable commodities such as fruits and vegetables, in which case the decision must be made within 10 days of filing. This time limitation may be extended by written stipulation between the protestant and the Administrator.

In addition, the Committee has added a completely new section providing and authorizing the filing of petitions for individual price adjustment. Under the present Act, petitions for individual adjustments to remedy individual hardship cases are only permitted when the price regulation specifically provides

for them and no court review can be obtained of a decision on the petition. The new section proposed by the Committee allows the filing at any time of a petition for adjustment and requires the Administrator to decide the petition within 60 days from filing. If the Administrator denies the petition, he must state his reasons in writing for doing so. Court review is specifically authorized of any denial of a petition for adjustment.

The exclusive jurisdiction of the Emergency Court of Appeals, to determine the validity of price regulations, which has engendered widespread criticism, has been removed by the Committee draft. Appeals from decisions by the Administrator may now be taken to any Federal District Court as well as the Emergency Court. If the appeal is taken to the Federal District Court, then a further appeal must be taken to the Emergency Court rather than to a Federal Circuit Court of Appeals.

To meet contentions by OPA officials that removal of the exclusive jurisdiction of the Emergency Court would lead to price chaos, the Committee has provided that State courts shall have no jurisdiction to hear cases under the Act, and that no regulation shall be suspended until a final decision has been made on the validity of the regulation. In other words, if a price regulation were held invalid by a Federal district court, the regulation would continue in effect until a decision on any appeal had been made or, if no appeal is taken, until the time for filing the appeal had expired. The Committee said: "The bill returns to the district courts the jurisdiction of which they were deprived by the Act, but channels appeals from decisions of the district courts through the Emergency Court of Appeals and provides that no decision of a district court shall upset any regulation during the pendency of an appeal."

Among other more minor amendments, the Committee bill prohibits the Administrator from being able to obtain any information concerning prices prior to January 1, 1939. This restriction is proposed because of the fact that the base period forming the standard for maximum prices shall not be any period before October 1, 1940.

In addition, the Committee has added a provision that, where the Administrator, in a protest case, takes official notice of economic data, the protestant shall be given that data, shall have the right to question the officials compiling the data, and shall be given an opportunity to show the inaccuracy of the data. An oral hearing on the protest

must be granted when it is requested in writing.

One of the most interesting procedural provisions is a new section requiring all agencies, offices or officers of the Government "exercising supervisory or policy making powers" over the OPA, War Food Administration or War Production Board to exercise those powers only through formal written orders or regulations published in the *Federal Register*. This is clearly designed to give adequate publicity to important policy directives issued by the Director of Economic Stabilization and others of which the general public has frequently not been fully informed.

Finally, the Committee revision modifies the penalties which can be imposed under the present Act, by eliminating the treble damage provision and reduces the possible jail sentence from one to two years in the case of a willful violation.

Administrative Sanctions

The practice of holding administrative hearings and suspending licenses to deal in rationed goods on grounds of violations of regulations has been frequently strongly criticized by the Committee. To prevent this practice, a new section has been proposed which prohibits any Federal official from constraining the price control act as granting any power to impose penalties or suspension orders of any kind not specified by statute and expressly delegated to the agency involved.

Wage and Salary Stabilization

The Committee bill, in codifying price and wage control in one statute has added a title covering wage and salary stabilization. This is entirely new, although it is stated by the Committee to be designed to carry out the policy announced by the Stabilization Act of October 2, 1942. The language is essentially a paraphrase of certain portions of the President's stabilization order (Executive Order No. 9250) and the hold-the-line order of April 8, 1943 (Executive Order No. 9328). The two most interesting general provisions of this part of the statute are the imposition of certain restrictions on the War Labor Board and the authorization of court review of decisions of the Board, which is not now available except by indirect procedures. These restrictions on the power of the Board refer to the Board's authority in deciding labor dispute cases. Probably the most far reaching restriction is the prohibition against any order requiring any person to sign any contract or agreement to which the person does not voluntarily agree. It seems that the effect of this

In the course of the Senate Banking and Currency Committee hearing, Senator Taft of Ohio stated that he might offer an amendment to the bill to extend the Price Control Act by which food subsidy payments would be restricted after January 1, 1945, to sums directly appropriated by Congress.

would be terminate the Board's maintenance of union membership policy.

Miscellaneous

Numerous other amendments are contained in the statute with respect to rent control. These are of the same character as the more general provisions covering all other commodities.

The Minority Report

The minority report made by Representatives Delaney and Voorhis questions the propriety of the Committee's presentation of a bill to amend the present Price Control Act on the grounds that a large measure of price stabilization has been achieved and that the far reaching changes suggested by the majority would disrupt the present successful program. The minority also considered that the Committee's jurisdiction to investigate administrative agencies does not extend to rewriting the price control act.

The minority strongly opposed the numerous amendments concerning the standards for establishing maximum prices upon the grounds that the Committee bill does not contain any specific authorization for subsidies so that the only effect of the proposed amendments would be increased maximum prices in all cases where financial hardships were shown. In this connection the minority also feared that the amendments would result in generally increased maximum rents which would disrupt the stabilization program.

The minority was also opposed to the restrictions placed upon the War Labor Board as unworkable. The minority did not, however, object to all of the Committee amendments. It supported the provisions for the court review of decisions by OPA and WLB. The minority stated: "It is our opinion that provision for appeal to the courts of the land from the decisions of the executive agencies exercising such broad and sweeping powers as those given to the Office of Price Administration and War Labor Board is no more than fitting and proper." The minority also advocated the requirement of the publication of policy directives in the *Federal Regis-*

ter, and the modification of the penalty provisions as well as the limitation on the Administrator's power to subpoena books and records referring to a time before 1939.

Resolution to Investigate Food Industry Introduced

A resolution was introduced on April 24 in the House of Representatives by Congressman Donald L. O'Toole of New York to authorize an investigation of the wholesale and retail meat and food industries in the United States for the purpose of discovering the reasons for the high prices and existing shortages (H. Res. 514).

The resolution provides specifically that the investigation shall cover the supply and price situation with respect to meat and grain products. No particular reference is made to canned foods in the resolution, although it does provide that the investigation shall include determination of the "possible existence of any other illegal or unethical practices in the wholesale or retail meat, poultry, vegetables or any other food commodities business which might be detrimental to the health or welfare of the people of the United States." The resolution would require the investigation to be completed by January 3, 1945. The possible action on this resolution has not yet been indicated.

Puerto Rican Laborers Subject to 10% Withholding Tax

In connection with the recruitment by the War Manpower Commission of Puerto Rican laborers for work in canning plants under contracts between the laborer and the canner, the Bureau of Internal Revenue has issued regulations under the recent Revenue Act of 1943 providing that these laborers shall be subject to a 10 per cent withholding tax on their gross wages in place of the 30 per cent withholding tax to which they would be otherwise subject as non-resident aliens. For income tax purposes, Puerto Rico and certain other possessions of the United States are defined by the income tax laws as countries outside of the United States, so that any Puerto Rican who earns income from sources within the United States is subject to a 30 per cent withholding tax on that income as a non-resident alien.

This tax, of course, applies only to Puerto Ricans who are temporarily in this country and do not become residents of the United States, even though they are at all times citizens of the United States.